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MAR 17 2004

Docket: OFFICE OF PETITIONS

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe that the inventors named below are the original and first inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Apparatus and Method for Improving the Taste of Wines

the specification of which (check one)

is attached hereto.

was filed on April 16, 2001 as Application Serial No. 09/835,861.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

I acknowledge the duty to disclose all information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

And I hereby appoint: Thomas A. O'Rourke, Reg. No. 27,665 of Wyatt, Gerber & O'Rourke, L.L.P., 99 Park Avenue; New York, New York 10016; Tel.: (212) 681-0800, my attorney, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith.

Address all correspondence and all telephone calls to Thomas A. O'Rourke, Wyatt, Gerber O'Rourke, L.L.P. at (212) 681-0800.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor:

Robert S. Lutzker

Inventor's signature:



Date: _____

Citizenship: U.S.A.

Residence:

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So. Huntington, N.Y. 11746

Post Office Address:

Full name of second inventor, if any:

Inventor's signature:

Date: _____

Citizenship: _____

Residence:

Post Office Address:
